

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

ELBA N. CRUZ,

Plaintiff,

v.

CITY OF CAMDEN, et al.,

Defendants.

Civil No. 06-1809 (JBS)

AMENDED SCHEDULING ORDER

This Scheduling Order confirms the directives given to counsel at the status conference on June 12, 2008; and the Court noting the following appearances: Paul D. Brandes, Esquire, appearing on behalf of plaintiff; Cheryl L. Cooper, Esquire, appearing on behalf of defendant, City of Camden; Howard L. Goldberg, Esquire, on behalf of defendant County of Camden; Robert Gillespie, Esquire, appearing on behalf of defendant Cherry Hill; and Ralph Kramer, Esquire, not appearing.

IT IS this **13th** day of **June, 2008**, hereby **ORDERED**:

1. The following depositions shall be deemed to be Court Ordered:

- Detective Nobles - July 7, 2008;
- One (1) Officer - July 8, 2008;
- Three (3) County Investigators - July 16, 17, 2008;
- R. 30(b)(6) deposition of City - July 9, 10, 2008; and
- R 30(b)(6) deposition of County - July 29, 30, 2008.

2. Pretrial factual discovery is hereby extended to **September 15, 2008**. All pretrial discovery shall be concluded by that date. All discovery motions and applications pursuant to L. Civ. R. 37.1(a)(1) shall be made before the expiration of pretrial factual discovery.

3. All expert reports and expert disclosures pursuant to FED. R. Civ. P. 26(a)(2) on behalf of plaintiff shall be served upon counsel for defendants no later than **November 3, 2008**. All expert reports and expert disclosures pursuant to FED. R. Civ. P. 26(a)(2) on behalf of defendants shall be served upon counsel for plaintiff no later than **December 15, 2008**. Each such report should be accompanied by the curriculum vitae of the proposed expert witness. No expert opinion testimony shall be admitted at trial with respect to any witness for whom this procedure has not been timely followed. Depositions of proposed expert witnesses shall be concluded by **January 30, 2009**.

For purposes of this Scheduling Order, treating physicians shall not be considered expert witnesses and shall be treated as fact witnesses who are, however, required to provide reports and records concerning their treatment. However, any doctor who is going to express an opinion as to the cause of a particular condition or as to the future prognosis of a particular condition, shall be considered an expert subject to the requirement of FED. R. Civ. P. 26(a)(2)(B).

The parties shall also exchange, in accordance with the foregoing schedule, written statements identifying all opinion testimony counsel and the parties anticipate will be presented at trial pursuant to F. R. Evid. 701 and Teen-Ed v. Kimball International, Inc., 620 F.2d 399 (3d Cir. 1980).

4. **Dispositive Motions.** Dispositive motions shall be filed with the Clerk of the Court no later than **February 16, 2009**. Opposition to the motion should be served in a timely fashion. Counsel are to follow L. Civ. R. 7.1(c), (d) and (e), 56.1 and 78.1 (Motion Practice - Generally).

5. The Court will conduct an **in-person** status conference on **September 9, 2008 at 3:00 p.m.**

THE FAILURE OF A PARTY OR ATTORNEY TO OBEY THIS ORDER MAY RESULT IN IMPOSITION OF SANCTIONS UNDER FED. R. CIV. P. 16(f).

s/ Joel Schneider
JOEL SCHNEIDER
United States Magistrate Judge